help of the riot-affected people. Thank you.

SHRI V. GOPALSAMY (Tamil Nadu): Madam, this is a very serious matter. I strongly condemn the racist regime of South Africa. I would request the Government through you, to make a statement on this.

SHRI S. W. DHABE (Maharashtra): I join Mr. Gopalsamy and Mr. Valiullah. This should not only be condemned. The Minister concerne should make a statement on this.

REFERENCE TO EVACUATION OF INDIANS FROM UGANDA

श्री रामचन्द्र भारद्वाज (उत्तर प्रदेश): माननीया, ऐसा लगता है कि विदेशों में भारतीय मूल के लोगों पर लगातार अत्याचार हो रहा है । हम श्रीलंका में देख चुके, दक्षिण अफ्रीका में देख रहे हैं । सबसे ऊपर इसमें है उगांडा । उगांडा में 27 जुलाई को सैनिक विद्रोह के पश्चात् भारतीयों को बहुत क्षति पहुंची है, उनकी सम्पत्ति लूट ली गई है । सैकड़ों भारतीय भाग कर कीनिया चले गये हैं ? उगांडा में रहने वाले भारतीयों में यह इच्छा प्रकट की है कि वहां की अस्थिर स्थिति को देखते हुए वे भारत आना चाहते हैं । उनके भारत आने के लिए सरकार तुरन्त व्यवस्था करे । जो भी सामान वे वहां से भारत लाना चाहते हैं उस पर सीमाशुल्क न लगे ।

उगांडा की नई सरकार को मान्यता देने के सम्बन्ध में मेरा यह निवेदन होगा कि यह आश्वासन उससे लिये जाय कि वहां बस रहे भारतीयों की जानमाल की रक्षा करेगी और जिन लोगों को क्षति पहुंची है उन्हें भरपूर मुआवजा देगी । तभी हम शायद वहां बस रहे भारतीयों को जो आज अस्थिरता की स्थिति से परेशान हैं कुछ राहत दे पाएंगे । इस ओर मैं सरकार का ध्यान आकृष्ट करना चाहता हूं ।

REFERENCE TO SPECIAL MENTION MADE BY MISS JAYALALITHA

श्री सीता राम केसरी (बिहार): माननीया, अभी राष्ट्रीय गान पर माननीय सदस्या ने जो संक्षेप में विचार आए उन्हें सुनकर मुझे थोड़ा दुख इसलिए हुआ कि किसी भी महान व्यक्ति की कविता या साहित्य का सम्मान सारे देश में है, लेकिन गांधी जी के नेतृत्व में आजादी की लड़ाई हुई–आज दूसरा कोई गांधी नहीं हो सकता है— उसी तरह से राष्ट्रीय गान है चाहे वह बंगाल में बना हो, चाहे तमिलनाडु में बना हो, गुजरात में बना हो, आजादी की सारी लड़ाई जिस गान के साथ आरम्भ हुई, लाखों लोगों ने बलिदान और कुर्बानी दी उस राष्ट्रीय गान के साथ कोई दूसरा गान न हो, यही मेरा विचार है । चूंकि यहां राष्ट्रीय स्तर पर यह बात उठी थी, इसलिए मैंने अपना यह बात रखी ।

SHRI V. GOPALSAMY (Tamil Nadu): Is he making a speech? What is his point?

SHRI S. W. DHABE (Maharashtra): Is it a Special Mention by Mr. Kesri

SHRI V. GOPALSAMY: Special concession.

THE DEPUTY CHAIRMAN: You mention many things day in and day out. If Mr. Kesri mention something. then everybody is getting up. What is the harm if he mentions somethnig?

SHRI S. W. DHABE: He has been mentioning every day.

THE DEPUTY CHAIRMAN: We will appreciate, if he mentions something every day.

MOTION RE THIRTYTHIRD AND THIRTY-FOURTH REPORTS OF UNION PUBLIC SERVICE COMMISSION—Contd.

श्री रामजी रंजन साहू (बिहार): उपसभापति महोदया, मैं विगत 8 अगस्त को संघ लोकसेवा आयोग के सम्बन्ध में अपने विचार रख रहा था । उस संबंध में मैंने कहा था कि पर्सनेलिटी टैस्ट के बारे में सरकार को विचार करना चाहिए और पर्सनैलिटी टैस्ट के संबंध में सरकार

तथा आयोग को एक नई पद्धति अपनानी चाहिए पर्सनेलिटी टैस्ट के सम्बन्ध में हमारे पूर्व वक्ता श्री वंसल और श्री जसवंत सिंह जी ने अपने विचार रखे थे। मैं बहुत हद तक उनके विचारों से सहमत हूं। पर्सनेलिटी टैस्ट के बारे में मेरा कहना यह है कि उसमें समय की सीमा निर्धारित नहीं है समय की अवधि इतनी कम होती है कि छात्रों के लिए इतनी कम विधि में इंटरव्यूअर के सभी सवालों का उत्तर देना सम्भव नहीं होता। आम तौर से यह देखा जाता है कि कितना भी मेधावी छात्र क्यों न हो, पर्सनेलिटी टैस्ट में दे छांट दिये जाते है क्योंकि उन के लिए यह संभव नहीं होता है कि हर एक इंटरव्यूअर का उत्तर वे सही सही दे सकें। जहां तक मुझे जानकारी है पर्सनेलिटी टैस्ट के संबंध में कोई सिलैबस भी नहीं होता है। मेरी जानकारी यह भी है कि अंतरवीक्षा में गरीब तबके और गांव से आने वाले छात्र ज्यादातर छंटनी कर दिए जाते हैं क्योंकि उनके व्यक्तित्व का असर इन्टरव्यूअर पर नहीं हो पाता है। यद्यपि कि ऐसे छात्र रिटन परीक्षा में वे .90 या 95 प्रतिशत अंक प्राप्त करते हैं। इसकी वजह यह है कि ऐसे मेधावी छात्र ग्रामीण इलाकों से आते हैं, उन्हें पब्लिक स्कूलों में जाने का अवसर नहीं मिलता, उनके अभिभावक उन्हें पब्लिक स्कूलों में नहीं भेज सकते जिससे कि उनकी पर्सनैलिटी निखर सके। में आपके सामने बिहार का एक हवाला देना चाहता हूं। बिहार में एक बार ऐसी समस्याओं क समाधान के लिए एक भूतपूर्व मुख्य मंत्री के पास यह प्रस्ताव आया कि जो गरीब तबके के लोग हैं वे रिटन ऐक्जामिनेशन में अधिक से अधिक अंक प्राप्त करने के बाद भी अंतरवीक्षा में छांट दिये जाते हैं। इस पर उन्होंने अपने तत्कालीन मुख्य सचिव और आयोग के सदस्यों से सलाह की और जहां तक मुझे मालूम है पर्सनैलिटी टैस्ट के संबंध में आयोग के सदस्य या जो तत्कालीन मुख्य सचिव थे, वे सही सही उत्तर न दे सके। वे मुख्य मंत्री को कंविन्स नहीं कर सके कि अंतरवीक्षा सही मायने में मूल्यांकन करती है। हालांकि जैसा कि आयोग के रिपोर्ट में है, उनमें से बहुत सी बातों का निराकरण किया गया है लेकिन उसमें और भी सुधार करने की आवश्यकता है। भारतीय सेवा प्रशासन के लिये जो छात्र उत्तीर्ण या अनुतीर्ण होते है, उनके आंकड़ों का विश्लेषण यदि माननीय मंत्री महोदय करें तो पायेंगे कि अधिक से अधिक वही लोग उत्तर्ण होते है जिनकी पढ़ाई पब्लिक स्कूलों में होती है। जो गरीब और किसान के लड़के है वे छांट दिये जाते हैं यह बताते हुए कि उनका व्यक्तित्व प्रभावी नहीं है।

दूसरी बात मैं पर्सनेलिटी टेस्ट के बारें में कहना चाहूंगा कि सरकार के आयाम में एक बदलती हुई परिस्थिति में जिस प्रकार के प्रशासकों की आवश्कता होती है उस संदर्भ में पर्सनेलिटी टेस्ट की परीक्षा नहीं ली जाती है। पिछले दिन मैने बताया था कि उसमें सुधार के लिये जो अन्य देशों में प्रक्रिया अपनाई जाती है उसको अपनाया जाये। मैं यह भी नहीं कहता कि हू-बहू वही प्रक्रिया अपनाई जाये। लेकिन हमारे देश की सामाजिक एवं आर्थिक परिस्थिति को देखते हुए इस परसनेलिटी टेस्ट में आमूल परिवर्तन की आवश्यकता है। संघ लोक सेवा आयोग के लिये परसनेलिटी टेस्ट पद्धति बदलने की आवश्यकता इसलिये भी है कि यही से प्रदेश लोक सेवा आयोग को गाइड लाइन्स मिलती है और इसी पद्धति से प्रदेश लोक सेवा आयोग भी अपने यहां उम्मीदवार का चयन करते है। ऐसे उम्मीदवारों को प्रदेशों में छांट दिया जाता है, उन स्तरों पर [illegible] या जाता है जो गरीब छात्र होते हैं। साथ ही मैं यह नहीं कहता कि यह पद्धति कोई बौझिल की जाये या इसमें कोई ज्यादा टेक्नीक अपनाई जाये। पर देश की हालत को देखते हुए विश्व के प्रगतिशील देशों में जिन पद्धतियों को अपनाया गया उन पद्धतियों की ओर आपको ध्यान देना चाहिये।

हमारा देश विभिन्न क्षेत्रों की प्रगति के बीच से गुजर रहा है। मैं माननीय मंत्री जी का ध्यान इस ओर दिलाना चाहूंगा कि विकास की प्रगति में प्रतिबद्धता के

[श्री रजनी रंजन साहू]

लिये उम्मीदवारों का चयन किया जाना चाहिये और इस बात पर और भी जोर दिया जाना चाहिये कि ऐसे उम्मीदवार का चयन हो जो हमारे देश की प्रगति के लिये कटिबद्ध हो।

दूसरी बात की ओर मैं मंत्री जी का ध्यान आकर्षित करना चाहूंगा कि जिन उम्मीदवारों का चयन किया जाना है उन्हें प्रशासन चलाने की जिम्मेदारी दी जाती है। उन्हे बदली हुई परिस्थिति के अनुरूप शिक्षा मिलनी चाहिये और यदि ऐसा नहीं होगा तो वे अपने पुरानी मनोवृत्तियों के दास बने रहेंगे। संघ लोक सेवा आयोग ऐसा नार्म और टेक्नीक अपनाये कि सरकार के विभिन्न परिस्थितियों से विभिन्न विभागों में विशेष आवश्यकता के साथ-साथ परिवर्तित सामाजिक एवं आर्थिक परिवेश ध्यान में रखते हुए चयन होगा तभी प्रशासन चुस्त एवं सुदृढ बन सकेगा।

तीसरी बात माननीय मंत्री जी से निवेदन करना चाहूंगा जिसके बारे में सदन में कहा गया है कि वह है आयु सीमा के संबंध में। आयु सीमा घटाने या बढ़ाने के कई पक्ष हो सकते है। मै उनकी बहस में नहीं जाना चाहता पर मैं मंत्री महोदय से निवेदन करना चाहूंगा जिसका जिक्र रिपोर्ट में नहीं है। आयु सीमा हठात् लागू कर दी जाती है, ऐसा लागू करने से जिन छात्रों की आयु सीमा छूती रहती है उन्हे दिक्कतों का सामना
3 P.M. करना पड़ता हे। इसलिये मेरा सुझाव है कि जब आयु सीमा घटाई जाये या बढाई जाये तो उसकी जानकारी कम से कम दो साल पहले दी जानी चाहिये ताकि उसी हिसाब से जो छात्र अपनी उम्मीदवारी भरते हैं, जो चयन के लिये आते हैं वे उस प्रतियोगिता के लिये अपने को एडजेस्ट कर सकें। चौथी बात जिसकी तरफ मैं माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूं कि अनुसूचित और आदिम जातियों के लिये सुरक्षित उम्मीदवारों के चयन के लिये संघ लोक सेवा आयोग अपने मानदण्ड में कटौती करता चला जा रहा है। आयोग के प्रतिवेदन से यह स्पष्ट है कि ऐसे उम्मीदवारों की संख्या में दिनों दिन बढ़ोत्तरी हो रही है, लेकिन ऐसा कहा गया है कि योग्यता में कटौती करने से भी योग्य उम्मीदवारों का चयन नहीं हो पायेगा। इसलिये मैं सरकार से यह कहना चाहता हूं कि सरकार ऐसी व्यवस्था करे कि इन वर्गों के उम्मीदवारों के लिये विभिन्न राज्यों के कैपिटल्स में स्थित विश्वविद्यालयों में उनके शिक्षण, के लिये विशेष व्यवस्था की जाये और उनको आयोग द्वारा परिचालित कम्पिटिटिव एक्जामिनेशन के लिये सुयोग्य बनाया जाये इस प्रकार से अनुसूचित और आदिम जातियों के उम्मीदवार जो अंक प्राप्त करेंगे उसमें वे हीनभावना से मुक्त रहेंगे। उनको यह आभास होगा कि आयोग द्वारा निर्धारित मानदण्ड के अनुरूप सामान्य रूप से सभी वर्गों के उम्मीदवारों के चयन में वे भी हैं और इसमें उनको गौरव प्राप्त होगा। इन शब्दों के साथ मैं माननीय मंत्री जी का ध्यान इस बात की ओर आकर्षित करूंगा कि संघ लोक सेवा आयोग के प्रतिवेदन में भी इस बात की आवश्यकता महसूस की गई है कि सुयोग्य उम्मीदवारों का अधिक समीचीन ढंग से चयन हो, इस पर वे विचार करें। भारतीय प्रशासनिक सेवा और अन्य सेवाओं में व्यक्तियों का चयन देश की सामाजिक एवं आर्थिक धारा के परिपेक्ष्य में होना चाहिये। धन्यवाद।

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : माननीय उपसभापति महोदय, संविधान के अनुच्छेद 323 की उपधारा (1) के अन्तर्गत प्रति वर्ष संघ लोक सेवा आयोग अपनी रिपोर्ट या प्रतिवेदन राष्ट्रपति के माध्यम से संसद् के आगे भेजता है। इस वक्त 33वीं और 34वीं रिपोर्ट पर विचार विमर्श हो रहा है। लेकिन यदि इस रिपोर्ट को देखा जाये तो पता चलेगा कि यह बिलकुल बेमतलब हो जाता है अगर जिन तथ्यों की ओर आयोग सरकार का ध्यान आकर्षित करता है, सरकार उन खराबियों और खामियों को दूर करने के लिए कोई प्रयास नहीं करती है। इस सिलसिले में मैं सबसे पहले पृष्ठ 38 पर जहां पर आयोग ने "रिक्रूटमेन्ट्स कैंसिल्ड और विदड्रान" की बात कही हैं उसकी ओर ध्यान आकर्षित

करना चाहूंगा । आयोग ने बारबार सरकार को लिखा कि आयोग के पास जो रिक्त पद होते हैं उनको भरने की माँग की जाती है । आयोग उनका विज्ञापन निकालता है । विज्ञापन के बाद लोगों से आवेदन-पत्र माँगे जाते हैं । उसके बाद सरकार की ओर से या विभाग की ओर से आयोग को सूचित किया जाता है कि यह नियुक्ति निरस्त कर दी जाय । इस तरह के 930 मामले आयोग ने बताये हैं । यह बात आयोग की रिपोर्ट में कही गई है । आयोग ने यह भी कहा कि उसने 497 नियुक्तियों की संस्तुति की, लेकिन सरकार ने इनकी नियुक्ति करने में तीन चार साल लगा दिये । इस प्रकार से किन्हीं कारणों से नियुक्तियों को बराबर टाला जाने लगा ।

दूसरा इस ओर भी कमीशन ने ध्यान आकर्षित किया है कि कई मामलों में तदर्थ नियुक्तियां कर दी जाती हैं । कमीशन ने बार बार कहा है कि सरकार ने जो तदर्थ नियुक्तियां की हैं वे इरेगुलर हैं । लकिन सरकार का ध्यान आकर्षित करने के बाद भी तदर्थ नियुक्तियां सरकार करती रही और उस नियुक्तियों को उन्होंने इरेगुलर कहा है । इस सिलसिले में मैं पृष्ठ 47 पैराग्राफ 27 पर जो रिपोर्ट है, उस ओर आपका ध्यान आकर्षित करना चाहता हूं । इसमें हैं कि :

> "Cases of appointments in which consultation with the Commission was inordinately delayed or where appointments made were *ab initio* irregular continued to occur during the year under report. In spite of instructions issued from time to time by the Government of India, the Commission regret to note that there has been no marked important in this regard".

मेरा यह अनुरोध है कि जब आयोग की रिपोर्ट में बार बार इस प्रकार की कमियों को ओर सरकार का ध्यान आकर्षित किया गया हैं तो क्यों नहीं सरकार की ओर से उन कमियों को दूर करने का प्रयास किया जाता है । आयोग ने इस बात की ओर भी ध्यान आकर्षित किया है कि किस प्रकार से वे नियुक्तियां करते हैं और प्रतिवर्ष कितनी नियुक्तियां करते हैं । महोदया, हमारे देश में जो कुल जनसंख्या है, उस जनसंख्या का 85 प्रतिशत भाग ग्रामीण क्षेत्रों में रहता है और 15 प्रतिशत भाग नगरीय इलाकों में रहता है । लेकिन आयोग द्वारा जिस प्रकार से नियुक्तियां होती हैं, आयोग ने जो आंकड़े दिये हैं उसके हिसाब से जो ग्रामीण इलाके हैं, जहां 85 प्रतिशत लोग रहते हैं, वहां के लोगों की नियुक्तियां बहुत कम प्रतिशत में होती हैं । इस सम्बन्ध में मैं राज्यसभा के अतारांकित प्रश्न संख्या 1039 दिनांक 6 मई, 1982 की ओर आपका ध्यान आकर्षित करना चाहता हूं। इसके उत्तर में बतलाया गया है कि भारतीय प्रशासन सेवा में भाग लेने वाले व्यक्तियों के, जो नगर में रहते हैं और जो ग्रामीण इलाकों में रहते हैं, इस पृष्ठभमि में हिस्सा लेने वाले अलग अलग उम्मीदवारों के आंकड़े दिये गये है । 1977 में आई० ए० एस० में कुल सफल व्यक्ति हुए 702 लेकिन ग्रामीण पृष्ठभूमि के सफल व्यक्ति 227 रहे यानी 32.33 प्रतिशत । शहरी पृष्ठभमि से 475 और ग्रामीण पृष्ठभूमि के 227 व्यक्ति सफल हुए, यानी शहरी क्षेत्रों का प्रतिशत 67–67 रहा । इसी प्रकार से 1978 में सफल प्रतियोगी रहे 721 और इन 721 में से ग्रामीण पृष्ठ भूमि के सफल अभ्यार्थियों की संख्या रही 196 यानी 27.18 प्रतिशत इनका आया और शहरी पृष्ठभमि वाले अभ्यार्थी जो सफल रहे उनकी संख्या 525 यानी कि 72.82 प्रतिशत । इसी प्रकार से 1961 में आई० ए० एस० में 1291 जो व्यक्ति सफल हुए उनमें ग्रामीण क्षेत्रों के व्यक्तियों की संख्या 143 रही जोकि कुल सफल अभ्यार्थियों का 12 प्रतिशत है । तो मेरा यह निवेदन हैं कि इस प्रकार से व्यवस्था की जानी चाहिए ताकि सभी जगहों पर शिक्षा का बराबर स्तर रहे । जब सब एक जैसी शिक्षा प्राप्त करेंगे

[श्री सत्य प्रकाश मालवीय]

तभी जाकर समानता के आधार पर कम्पीटीशन होंगे । तभी जो प्रतियोगितायें होंगी उनमे बराबरी के आधार पर जो अधिक योग्य होंगे वे सफलता प्राप्त कर सकेंगे । मेरा यह भी निवेदन है कि जो मन्डल आयोग की रिपोर्ट हैं उसको लागू किया जाय । इस संबंध में राष्ट्रपति जी का एक अभिभाषण हुआ है । गत 4 अगस्त को कलकत्ता मे राष्ट्रपति जी ने डाक्टर अम्बेडकर की प्रतिमा का अनावरण करते समय जो भाषण दिया । शब्दशः उन्हीं का भाषण यहां क्वोट कर रहा हूं ।

"यह जुदा बात है कि रिजर्वेशन की वजह से हरिजनों को तो यह मौका मिला । गिरिजनों को भी मिला । शैड्यूल्ड कास्ट, शैड्यूल्ड ट्राइब को मौका मिला, मगर कुछ वे लोग जिनको अदर बैकवर्ड क्लासिस कहा जाता है, उनके लिये भी बहुत इंकलाबी कदम उठाने की जरूरत है ताकि हम अपने कदमों को आगे बढा सकें" ।

इसलिये मेरा सरकार से यह निवेदन है कि बार बार मांग की जाती है, सदन में और सदन के बाहर कि जो मंडल आयोग की रिपोर्ट है, सरकार उसकी संस्तुतियों को लागू करने की कृपा करे और जो मैने आंकड़े प्रस्तुत किये है, इसके हिसाब से जैसा मैंने समझाने की कोशिश की कि हमारे देश की 85 प्रतिशत जनसंख्या ग्रामीण इलाकों में रहती है । लेकिन सरकारी सेवाओं में चूंकि वे बराबरी और समानता के आधार पर, वर्तमान प्रणाली के आधार पर प्रतियोगिताओं मे सफल नहीं हो पाते, किन्हीं कारणों से, और इस कारण इन सेवाओं मे उनका उचित प्रतिनिधित्व नहीं हो पाता है, मैं श्री रजनी रंजन साहू जी की बात से पूरी तरह सहमत हूं कि जो साक्षात्कार का तरीका है, इसमें भी परिवर्तन करना चाहिए क्योंकि पर्सनेलिटी टैस्ट में भी कभी-कभी इस प्रकार की बात आती है जिसके अनुसार जो बहुत तेज लड़के हैं गरीब या पिछड़े वह पर्सनेलिटी टैस्ट में असफल कर दिये जाते हैं और मुझे आज भी पूरा यकीन है--(**समय की घंटी**)-- कि लाल बहादुर शास्त्री इस देश के प्रधान मंत्री तो हो सकते थे, श्री मौलाना आजाद इस देश के बहुत ही सफल शिक्षा मंत्री तो हो सकते थे और भाग्य से इस देश के सब से पहले वह शिक्षा मंत्री थे, बहुत ही सफल शिक्षा मंत्री थे, लेकिन अगर पर्सनेलिटी टैस्ट में इन दोनों में से किसी को भी जाना पड़ता तो शायद ही सफल हो पाते ।

इसलिए पर्सनेलिटी टैस्ट का जो तरीका है, इस तरीके में किस प्रकार से परिवर्तन किया जाए, इस सिलसिले में सरकार को विचार करना चाहिए ।

उपसभापति : मैं समझती हूं कि माननीय सदस्य जी आप अपने बड़े नेताओं के नाम यहां न लें, तो अच्छा है और एसपेशली पर्सनेलिटी के बारे में ।

एक माननीय सदस्य : उसी मे तो चरण सिंह मार खा गये, प्रधान मंत्री थे अपने देश के । (**व्यवधान**)

उपसभापति : आप अपने तक ही रखिये . . .

एक माननीय सदस्य : वह गुमराह कर रहे हैं ।

श्री सत्य प्रकाश मालवीय : मैं गुमराह नहीं कर रहा हूं. . . . (**व्यवधान**)

I am talking about the personality test and not about the personality of Maulana Abul Kalam Azad (*Interruption*).

AN HON. MEMBER: Why do you want to test the taste of personality of these people? Why do you bring their names here?

श्री सत्य प्रकाश मालवीय : आपको अपनी बात कहने का मौका मिलेगा ।

एक बात मैं अंत में और कहना चाहता हूं कि आयोग में आठ सदस्य हैं, अध्यक्ष सहित आयोग मे आठ सदस्य होते हैं, तो मैं यह जानना चाहता हूं माननीय मंत्री जी से, कि यह आयोग में आठ सदस्य हैं अध्यक्ष सहित, इनकी जो बैकग्राउण्ड है, वह क्या है ? क्योंकि इसमें कोई अनुसूचित जाति, अनुसूचित जनजाति के लोग हैं कि नहीं और पिछड़े वर्ग के लोग उसमें हैं कि नहीं क्योंकि मेरा यह आरोप है कि उसमें भी--(**समय की घंटी**)--नियुक्तियों में भी राजनीति चलाई जा रही है, (घंटी) और राजनीति चला कर ऐसे सदस्यों को नियुक्त किया गया है, जोकि किसी न किसी प्रकार से राजनीतिक कारणों से उनकी नियुक्ति की गई है, इसलिए मैं जानना चाहूंगा कि उनकी बैकग्राउण्ड क्या रही है ?

SHRI MADAN BHATIA (Nominated): Madam Deputy Chairman, Service Law has become highly complicated and a specialised branch of Constitutional Law. Union Public Service Commission is a Constitutional Organ and it has constitutional duties to perform relating to consultation with the Union Government on matters relating to service. Madam, if I have to go by my little professional experience of some of the actions of the Union Public Service Commission, then, I have to say with regret that it is not well equipped to perform its present constitutional role in the present circumstances and the development of the law. I would in this regard, place before this Hon'ble House a few examples from my personal experience. In both these reports, the Union Public Service Commission has mentioned that the recruitment rules and the amendments thereto are furnished to the Union Public Service Commission for advice and consultation and the rules are framed, amendments are made thereto in consultation with the Union Public Service Commission. There is one example of how the Union Public Service Commission went totally awry and that may be an indication of the nature of the role which the Commission has been called upon to play and the extent to which it succeeded in playing that role effectively. For instance, there are recruitment rules of Delhi Water Supply Undertaking. Those recruitment rules provide that so far as posts of the Executive Engineers are concerned, fifty per cent shall be filled by direct recruitment and fifty per cent shall be filled by promotion.

So far as the promotion posts were concerned, the Assistant Engineers working in the Department were eligible. The Assistant Engineers who were degree-holders' were required to have five years requisite experience. The Assistant Engineers who were diploma-holders were required to have seven years requisite experience for promotion to the post of Executive Engineer. So far as the direct recruits were concerned, the direct recruits were also required to have degrees and five years' requisite experience. Now one fine morning, the Water Supply Undertaking decides to amend these rules. And the amendment was in this way: it decided that so far as the promotion quota is concerned, the experience of Assistant Engineers who are having degrees would be enhanced from five years to seven years in order to make them eligible for promotion as Executive Engineers. So far as the diploma-holders were concerned their requisite experience was reduced from ten years to seven years. So far as the direct recruits were concerned, their requisite experience was maintained at five years. The reason was that so far as the Assistant Engineers working in the Department who were having degrees, were concerned, they had put in more than five years but they had put in less

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than seven years. But so far as the diploma-holders were concerned, they had put in more than seven years, but in less than ten years. And these diploma-holders carried the clout with the authorities that be. The whole object was to make the degree-holders ineligible for promotion and the diploma-holders eligible for promotion. But the surprising thing is that so far as the qualifications for the direct recruits were concerned for instance an Assistant Engineer working in the Local Authority of Ghaziabad was fit enough to be appointed as the Executive Engineer if he had five years of expercence. The insider must have seven years' experience if he was a degree-holder, but an outsider was good enough if he was to have five years' experience. Now these rules were submitted to the Union Public Service Commission. And lo and behold: The Union Public Service Commission puts its stamp of approval on these amendments. The rules were adopted. It took less than half an hour for the Delhi High Court to strike down these rules as totally mala fide and arbitrary. I do not have to go to too many examples. I have given just one example from my personal experience.

Secondly, Madam, in its Thirtythird Report, on page 5, the Union Public Service Commission says:

> "The Commission are happy to note that during the year under report, there has been some reduction in ad-hoc appointments in Government."

Madam, the Union Public Service Commission is happy to note that, but I feel a sense of unhappiness to say that the Union Public Service Commission has been, over the years, a party to ad-hoc appointments. In this regard, I again give two examples. In the Employees' State Insurance Act, Section 17 provided that no regular appointments would be made to Class I or Ciass II posts for a period exceeding in aggregate one year. In 1972 and 1973 doctors were appointed for one year on an ad-hoc basis, but from year to year, their appointments were continued with the approval of the Union Public Service Commission for eight years. And after eight years, when the rules were framed the Union Public Service Commission turns back and talls these doctors who have been working for a period of eight years and seven years in the Emploees' State Insurance Scheme: "You have no right to your posts. You are freshers. You stand in the queue and come along with the fresh candidates for recruitment as doctors to this particular body."

The poor doctors who had become overaged to join any other service, who had spent seven to eight years of their life-time in this particular body, found themselves completely stranded. They also went to the High Court and the High Court was constrained to hold that the action of the UPSC in granting approval to their continued appointment from year to year was nothing less than making their appointments totally regular, and alternatively, the High Court held that even if it be not so, they cannot be clubbed together with the freshers, they have to be treated digerently, their service records must be taken into account for the purpose of deciding whether they are fit to be appointed or they are not fit to be appointed and their appointment cannot be decided along with the freshers through four-minute, five-minute, interviews. As Special Leave Petition against this judgment was dissmissed in less than half a minute.

Honourable Members have spoken about the personality tests. The constitutional validity of these personality tests came up for consideration before the honourable Supreme Court. This was the case of admissions to the medical colleges and the admission bodies had provided 100 marks for the written test and 50 marks for the oral interview or the personality test. In other words, 33-1|3 per cent marks were prescribed for admission even to medical colleges for oral interviews and personality tests. The Supreme Court struck down this heavy weightage to personality tests as totally arbitrary and unconstituitonal. I would like to draw the attenention of the honourable House to this paragraph which is very relevant so far as personality tests which have been prescribed for different services are concerned, as mentioned in these reports. The name of the cases Ajay *Messia* v. *Khalid Mujib*. AIR 1981 Supreme Court. The judgment is a very long judgment. It starts at page 487 and I would read just one paragraph at page 501:

> "The argument of the Petitioners so far as the third ground of challenge is concerned, we do not think it can be dismissed as unsubstantial. The argument of the petitioners under this head of challenge was that even if the oral interview may be regarded in principle as a valid test for selection of candidates for admission to a college, it was in the present case arbitrary and unreasonable since the marks allocated for the oral interview were very much on the high side as compared with the marks allocated for the written test. The marks allocated for the oral interview were 50 as against 100 allocated for the written test so that the marks allocated for the oral interview came to 33 per cent of the total number of marks taken into account for the purpose of making the selection. This contended the Petitioners was beyond all reasonable proportion and rendered the selection of the candidates arbitrary and violative of the equality clause of the Constitution. Now, there may be no doubt. . ."

these lines are very important—

> "....that having regard to the drawbacks and defects in the oral interview test and the conditions prevailing in the country, particularly when there is deterioration in moral values and corruption and nepotism are very much on the increase, allocation of a high percentage of marks for the oral interview as compared to the marks allocated for the written test cannot be accepted by the Court as free from the vice of arbitrariness."

I respectfully submit that some services have been mentioned for all of which personality tests have been prescribed, as, for instance engineering service, statistical service, economic service, geologists service, medical service, etc. This report is eloquently silent as to the rationale for prescribing personality tests for services for recruitment as statisticians, as engineers, as doctors, as geologists and as economists.

Seconlly, this Report does not throw any light on the content and weightage which are given to personality tests so far as these examinations are concerned. I am leaving out the Civil Services because in the case of Civil Services, personality has a role to play like the IAS and the IPS. But, so far as these Services are concerned, I would respectfully submit, Madam, that whatever I am saying stands equally true so far as recruitment through oral interviews is concerned. We do not find any mention of details as to the weightage given to the various facors while carrying out the oral interviews of the candidates. In this very judgment of the Supreme Court, Madam .... (*Time bell rings*) .... Madam, I will just finish in a minute.

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In this very judgment, the Supreme Court has said further:

> "Reserving of 50 marks out of a total of 150 marks does seem excessive especially when the time spent was not more than four minutes for each candidate."

We do not know how much time has been spent and what the criterion is that has been laid down. Now, Madam, I come to the last but one point. I am coming to the question of Short Service Commissions.

Madam, both these Reports have mentioned that the number of vacancies for Short Service Commissions was 268 and the number of candidates who ultimately were selected was 148. It is a matter of grave concern that a nation of seventy crores of people cannot produce in one whole year at least 268 young men who are found fit enough to be appointed to the Short Service Commission posts or who are fit enough to opt for the Short Service Commission. It means that something is grievously wrong, something has gone wrong with the pride of the uniform and something has gone wrong with the martial traditions of this country. It requires a detailed survey of the young men, the young boys in our schools and colleges, to find out what the causes are.

Lastly, Madam, I come to the question of constitution of the Services Tribunals:

Madam, I have read in the newspapers that the Services Tribunals are on the way and, for that, I would like to congratulate the honourable Minister. But, at the time when this Bill was passed, I had submitted that although the Act permitted appointment of Secretaries and Additional Secretaries as Members of these Tribunals, I hoped that in practice they would not be appointed. I submit, Madam, that this is the view on the basis of consensus of the legal profession, this is the view expressed by the members of the services themselves, and this is the view which has been expressed by the Judges whom I had the occasion to talk to. And, Madam, I submit respectfully that this is the view which is also dictated in view of these factors by that spirit of consensus which has made the present Government so vibrant in activity and I can only say, "For Gods sake, don't have these Secretaries and Additional Secretaries as Members of these Tribunals." Thank you, Madam.

THE DEPUTY CHAIRMAN: Yes, Mr. Lakshmanna now.

PROF. C. LAKSHMANNA (Andhra Pradesh): Madam Deputy Chairman, the requirement of article 323(1) of the Constitution to place the Report of the Union Public Service Commission through the President before Parliament should be an occasion for evaluating the functioning of the Union Public Service Commission and to examine the facts which are brought by the Public Service Commission and the problems which are pointed out in these Reports. If that is the case, then, Madam, in the first instance, the Commission's report especially the 34th Report, is silent on important things like these:

> One of the functions for which the Public Service Commission has established, namely, as stated on page 2, among other things, is to conduct examinations for appointment to services of the Union and further to advise the Government in all matters relating to framing of rules regarding recruitments, methods of recruitment principles to be followed in making appointments to Civil Services and posts.

Madam, this has been one of the responsibilities of the Public Service Commission to constantly advise the Governments about various aspects concerning the mode of appointment and the methods of appointment,

etc. But this Report does not give any indication as to whether this process has been gone through to that extent. The Report is silent.

Secondly, the Report is also silent on important issues as reflected in paragraphs like 27 and 31, whether in regard to recommendations which have been made by the Service Commission and which are not accepted by the Government what should be the decision, who should prevail. There is no clear indication as to what should happen.

Finally, the Report is also silent about the distribution of marks between written examinations and personality tests in various Services, which gives rise to certain doubts regarding the accuracy of the whole examination process, which a candidate goes through and finally is selected to the service.

Therefore, on these points at least the forthcoming Reports for the subsequent years must have something to say about.

Madam, I would like now to turn the attention of this august House to some of the points which arise out of the findings of this Report. The process of selection in the course of time should lead to a situation where all selections of the society have equal opportunities and equal chances in the selection process. If we take that as a criterion 37-38 years of independent India has still failed to do justice to the Scheduled Castes and Scheduled Tribes. Even as late as in 1983-84 in the Engineering service the number of posts that was available for Scheduled Castes and Scheduled Tribes was 255, whereas the Commission could recommend only 89, which is by any standards very low. Similarly, in the case of Medical Services, we have figures for 1982 and 1983-84. The number of vacancies and the number of people recommended are not upto the desired extent. Therefore, it is for the Government to think about the possible ways by which the Scheduled Castes and Scheduled Tribes people are encouraged or given more facilities to compete and ultimately become partners in the administrative services. (*Time bell rings*). When we talk about the Scheduled Castes and Scheduled Tribes, this is the position. If you talk in terms of Backward classes the position is much worse. As per the Mandal Commission, in Class I Service the contribution of Scheduled Castes and Scheduled Tribes is shown as 5.6 per cent and that of the Backward Classes it is shown as only 4.9 per cent. Therefore, a major segment of the Indian society, which is as much as 70—80 per cent of the population, is not having opportunities in the administrative service even after 37-38 years of independence.

This is not good for giving a sense of participation to those sections of the society which have been denied opportunities for more than 3000 years. Therefore, it is necessary that the Government of India should make every effort to create opportunities and facilities for those groups to come up in the recruitments

Madam, I would like to draw the attention of the House to another important factor. The upper age limit for appearing in the examination was 26 years previously. It was raised to 28 years. Now, it has been brought down again to 26 years. This was to be operative from the year 1985. The students all over the country pointed out as to how a substantial section of the students will be losing the opportunity of 3 chances. Therefore, it was postponed in 1985 and it has to become operative from 1986. Still the position continues to be the same. I see no reasons why the age should be reduced to 26 years The rationale for raising the age from 26 to 28 years has been mainly because of the difficulties of the candidates coming from the rural areas. As the House is aware, the students who study in the rural areas are always late in their entry into the educational process. They have to com-

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pete with the urban boys and girls. If the upper age limit of 26 years or 28 years is kept at par, there will always be a difficulty. Therefore, what best can be done is to give an opportunity to these boys coming from the rural areas staggered over a period of time giving them 3 opportunities. I see no reason why even now we should insist on reducing the upper age limit from 28 to 26 years. In this connection, there have been representations from the student bodies. In view of the difficulties experienced by these students and also because they are losing chances which are reduced from 3 and 2 and 3 to 1 in some cases, there is need for restoring the upper age limit up to 28 years. (*Time bell rings*)

THE DEPUTY CHAIRMAN: Please be brief. You have exceeded your time limit.

PROF. C. LAKSHMANNA: I am very brief. Some time back, there was consideration of a new recruitment pattern. Now a student goes through the educational system up to honours degree and then he writes his examinations. In this process, there is wastage of education. There is an unnecessary pressure on the institutions of higher education. Unless a candidate has passed graduation or unless he has gone through an honours course, he is not able to write the Civil Services Examination. Therefore, there is a pressure on the colleges and universities in the country. At the same time, the years that have been spent in studying the graduation programme have no co-relation with the type of things which they have to do subsequently. Therefore, a suggestion was made some time back that the entry point for the services should be after intermediate. After having gone through the entrance examination or after having gone through the Civil Services Examination, if the candidate was selected, he could be given a specialised training suitable for the type of post that he will be holding. This training can be given for a period of 4 or 5 years. This will stop the wastage which is taking place in the educational system and the non-corelation which is existing between those who go through the Civil Services Examination and the educational processes they have gone through. Therefore, I suggest to the Minister to kindly consider the possibility of having a Civil Service Examination at the end of 12th Class. Already we are having a similar practice for the National Talent Search Examination. The N.T.S. Examinations are being conducted at the end of 12th Class.

And, Subsequently, the students are encouraged with the scholarships to go into the lines of their aptitude and specialisation, and then to be useful to the society. Similar could be the experience even with the Services. Therefore, I suggest to the Minister that he should try to introduce a new Civil Service System of examination at the end of the 12th class instead of at the end of Honours course. If some of these things are done Madam, I am sure, the Services will become more meaningful, and they would be able to serve the cause of various aspects of administration better than what it is being done today. Otherwise, what is happening today is that those who have passed the MBBS, those who have passed B.Tech., those who have passed the Engineering, and even those who have done some higher degrees are also competing in the Civil Services examinations leading to a lot of wastage of the educational opportunity and training on which huge amounts are being spent. In view of this, let the Minister kindly consider the possibility of making the 12th Class as the qualification for the Civil Service examination and giving subsequently appropriate training spread over a period of three or four or five years, whichever may be the thing which they would like to decide, and thereby strengthen the Services.

Thank you, Madam.

श्री रामचन्द्र भारद्वाज (बिहार) : महोदया, संघ लोक सेवा आयोग की भूमिका उच्च स्तरीय सेवाओं के लिए महत्वपूर्ण रही है क्योंकि सरकार को स्वतंत्र एवं निर्भीक परामर्श देकर विभिन्न सेवाओं के चयन की व्यवस्था का अधिकार इसको रहा है । चर्चित दो वर्षों में चर्चित दो प्रतिवेदनों में जो कुछ कहा गया है उसके अनुसार ऐसा लगता है कि समय सीमा के अन्दर इसने विभिन्न सेवाओं और विभिन्न परिस्थितियों के भीतर जो संस्तुतियां दी हैं वे इसकी विशिष्ट क्षमता के द्योतक हैं । संघ लोक सेवा आयोग की विश्वसनीयता असदिग्ध रही है । लेकिन आए दिन अब कुछ शिकायतें आ रही हैं । अभी 8 अगस्त को मैंने इसी सदन में प्रश्न किया था जिसके लिखित उत्तर में माननीय मंत्री जी ने कहा था कि किसी प्रकार के अनाचार की बात उन के सामने नही आई है । उन्होंने कहा कि कुछ एक पदों पर भर्ती के बारे में संघ लोक सेवा आयोग द्वारा लिये गये निर्णयों एवं घोषित परिणामों के संबंध में कतिपय व्यक्तियों से शिकायतें प्राप्त हुई है । लेकिन जांच के बाद आयोग के अनाचार की बात प्रकट नहीं हुई है । मैं माननीय मंत्री जी से यह निवेदन करना चाहूंगा कि अप्रकट अनाचार भी अनाचार ही होता है । अगर वह प्रकट नही हुआ तो क्या हुआ । उसकी कड़ाई से निगरानी की जरूरत है अन्यथा देश का प्रशासनिक ढांचा चरमरा जाएगा । इसकी विश्वसनीयता और कर्तव्यपरायणता पर आंच आने लगेगी । मेरा निवेदन है कि हमारे माननीय निर्मल नेता श्री राजीव गांधी जी के एवं माननीय राज्य मंत्री जी की निगरानी में संघ लोक सेवा आयोग की अपनी निर्मलता को अक्षुण्य बनाये रखेगा ।

क्षेत्रीय बैठकों की बात भी प्रतिवेदन में की गई है । प्रतिवेदन के अनुसार पूर्वांचल में एक ऐसी बैठक हो चुकी है । वहां के राज्यों के लोक सेवा आयोगों के प्रतिनिधि उसमें रहे और संघ लोक सेवा आयोग के प्रतिनिधि भी उसमें सम्मिलित हुए । यह बड़ी अच्छी बात है । पश्चिम में महाराष्ट्र, गुजरात, राजस्थान और मध्य प्रदेश, ये चारों राज्य हैं । इसकी भी एक बैठक हुई । मगर मुझे मालूम हुआ है कि किस कारणों से संघ लोक सेवा आयोग के प्रतिनिधि उसमें सम्मिलित नहीं हुए । मेरा माननीय मंत्री जी से यह निवेदन होगा कि ऐसे आयोजन बड़े लाभकारी होते है इसलिए ऐसा कोई भी आयोजन हो तो उसमें अवश्य ही संघ लोक सेवा आयोग का कोई प्रतिनिधि रहे ताकि राज्य में जो स्थिति है उससे भी वह अवगत हो सके और वे एक दूसरे से लाभ उठा सकें ।

परीक्षा केन्द्रों का विस्तार किया गया है । इस बात की चर्चा प्रतिवेदन में है । यह बड़ी अच्छी बात है । मगर इस संबंध में मैं माननीय राज्य मंत्री जी से अनुरोध करूंगा कि वे केन्द्रों का और अधिक विस्तार करें और उनका विस्तार इस दृष्टि से करें ताकि देहातों में रहने वाले गरीब और प्रतिभावान युवक—अभी पर्सनेलेटी टेस्ट की बात आई है, पर्सनेलेटी बढ़ाने की बात आई है, पर्सनलेटी उखाड़ने बात आई है इस का अवसर देने के सम्बन्ध में मैं निवेदन करना चाहता हूं कि सुदूर देहातों से लगे हुए अंचल में ऐसी परीक्षाओं की व्यवस्था जब होगी तो उनमें कहीं से भी कोई हीन भावना जागृत नहीं होगी और वे अपनी सम्पूर्णतया, समग्रता और अपनी सम्पूर्ण चेतना के साथ जाकर वहां पर उपस्थित हो सकेंगे और परीक्षा दे सकेंगे । इसलिए मेरा ख्याल है कि पिछड़े इलाकों में और सुदूर देहाती क्षेत्रों से लगे हुए इलाकों में जरूर हो ऐसी व्यवस्था की जाय ।

परीक्षा पद्धति में सुधार की ओर भी लोक सेवा आयोग ने अपने कदम बढ़ाये हैं जो कि स्तुत्य है । राज्य सेवा आयोगों को संघ द्वारा सहायता प्रदान करने के लिये इस दिशा में सतत प्रयत्नशील होने के लिये मैं राज्य मंत्री जी को बधाई देता हूं । अनुसूचित जातियां और अनुसूचित जन-जातियों के सम्बन्ध में जहां चर्चा आई है वहां यह कहा गया है कि जितनी जगहें होती है, जितनी रिक्तियां होती है उतने उम्मीदवार नहीं मिल पाते हैं । लेकिन अब व्यक्तिगत स्तर पर सम्पर्क स्थापित कर उससे संबंधित संस्थाओं की

[श्री रामचन्द्र भारद्वाज]

सहायता से लोगों को ढूंढना, उम्मीदवारों को ढूंढना संघ ने आरम्भ किया है यह एक बहुत बड़ी बात है । इसके लिये मंत्री महोदय की जितनी प्रशंसा की जाय वह कम है । प्रतिवेदन मे कहा गया है कि इस स्थिति मे भी अब काफी सुधार हुआ है सभी आरक्षित अनुसूचित जातियों और अनुसूचित जन-जातियो के लोगों के लिये सभी आरक्षित स्थानो के लिये अनुशंसित पूरे स्थान प्राप्त हो सके है , इसके लिये आयोग साधुवाद का पात्र है, मंत्री जी बधाई के पात्र है । मेरा निवेदन है कि अनुसूचित जाति और अनुसूचित जनजातियों के लिये जो कुछ भी संभव हो, किया जाय ।

अन्त में महोदया, मैं संघ लोक सेवा आयोग द्वारा ली जाने वाली परीक्षा की भाषा के संबंध में दो शब्द कहना चाहता हूं, महोदय हिन्दी राज भाषा के रूप में स्वीकृत हो चुकी है । अंग्रेजी कुछ दिनों के लिये काम चलाने के लिये सहायक भाषा बनी हुई है । अतः मेरा निवेदन होगा कि राष्ट्रीय स्तर पर परीक्षाओं का माध्यम अनिवार्यतः राज भाषा हिन्दी हो । लेकिन जो किसी प्रकार से हिन्दी के माध्यम से परीक्षा देने मे असमर्थ हो, उन्हें अंग्रेजी माध्यम की छूट विशेष स्थिति मे दी जा सकती है । महोदया, भाषा का प्रश्न भावनात्मक और संवेदनशील होता है । अतः मे इस विषय में और अधिक विस्तार मे न जाकर इतना ही कहना चाहता हूं कि संविधान सम्मत आयोग की यह अनिवार्यता है कि वह संविधान की धारा (3) के पालन का दायित्व भी वहन करें ।

इन शब्दों के साथ मैं माननीय राज्य मंत्री जी को एक बार पुनः बधाई देता हूं । उन्होंने बहुत सारे प्रगतिशील कदम उठाये हैं और आशा करता हूं कि भविष्य में भी ऐसे ही प्रगतिशील कदम उठवायेंगे ।

धन्यवाद ।

SHRI S. W. DHABE (Maharashtra): Madam Deputy Chairman, we have before us the Thirtythird and the Thirtyfourth Reports of the Union Public Service Commission, which reveal some of the important aspects of our national employment. In fact, the Union Public Service Commission, having a reputation of an independent organisation, has a very vital role to play in our democracy because it provides the bureaucracy for the administration of whatever laws are made and whatever decisions are taken. But, unforutnately, the Government has no sound policy of recruitment. Presently, in the Central Government services, there are 58,000 vacancies, including those of the Scheduled Castes and Scheduled Tribes.

Ban on recruitment has also crippled the work of the Union Public Service Commission. This ban in recruitment has created problems of additional work load and some of the undertakings like Railways and others are paying overtime to the tune of Rs. 45 crores in one term to the employees because the employees have to work overtime. Therefore, ban on recruitment is not a proper policy and this ban should be removed and proper persons required—what is called complement in industrial language—must be provided for each department.

In the 33rd report on page 33 it is stated that the Union Public Service Commission was asked to make recommendations for 864 persons for employment. But subsequently, the Government cancelled it and all the efforts were wasted away. The 38th report has also given a similar story that the UPSC were asked to recommend 934 names and these posts were advertised but subsequently this was cancelled. I would like to know from the hon. Minister the reasons for it because in the report no reasons are given as to why these cancellations were made for 1500 to 2000 posts in the period of 2 years when the UPSC has already called for applications.

The Vice-Chairman (Shrimati Kanak Mukherjee) in the Chair.

Then, the 34th report shows that there were 502 posts of Scheduled Castes for which 5227 applications were received; there were 33 posts of Scheduled Tribes for which 1487 applications were received. But for interview, only 1654 persons were called. That means, more than 3000 persons who had applied for the posts, were not called for interview. There were 1487 applications from the Scheduled Caste people and only 511 were called for interview. Same is the story in the 33rd report. There were 563 posts for the Scheduled Caste persons for which 6416 applications were received and only 1414 persons were called for interview. In the case of Scheduled Tribe candidates, there were 329 posts; 1305 applications were received and only 356 persons were called for interview. I would like to know from the Minister the basis applied by the Union Public Service Commission for calling the people for interview when the applicants fulfil all the requirements, they have the requisite qualifications and there is no reason why UPSC should not call then for interview. I would like to know what is the basis of the procedure being followed.

Then I find from the reports of UPSC for the year 1981-82 application and examination fee received by UPSC was to the tune of Rs. 64,51,000; in 1982-83, the amount received was Rs. 69,09,000 and for the year 1983-84, the amount received was Rs. 72,37,000. Similarly, the application fee for all these posts ranges between Rs. 15 and Rs. 40. The Union Public Service Commission, the State Public Service Commissions, universities and so on, take money from applicants, which is non-refundable. This is nothing but a tax on unemployment. Government takes the money from these candidates, along with the applications and does not refund the money. Some people are not called even for interviews. This is not proper. This system should be abolished. This taking of fee along with the applications is nothing but a tax on unemployment, as I said. This is an income which the Government is making from the people who are unemployed. An amount of Rs. 61—72 lakhs has been made as income in the last two-three years. Therefore, it is hightime this obnoxious system is done away with, if the Government is really interested in getting qualified people.

Then, about the coaching facilities for the Scheduled Caste and Scheduled Tribe candidates. On page 6 of the Thirty-fourth report, it has been said:

> "Candidates belonging to Scheduled Castes and Scheduled Tribes continued to be recommended by the Commission by a relaxed standard,...."

It has also been mentioned here that they are going to provide additional instructions and in-serivce training. But I would like to point out that the scheme of in-service training and additional instructions in respect of Scheduled Caste and Scheduled Tribe candidates has been a total failure. Why should there be a relaxation in the standard for recruitment to various posts, in respect of Scheduled Caste and Scheduled Tribe candidates, if in-service training is given to them? Therefore, for improving their standards, for recruitment purposes, it is necessary that intensive training should be given to them. Coaching facilities should be created at all levels so that these candidates will be better equipped before their inter view as well as when they actually work. If this is not done, I am afraid this will lead to inefficiency in service.

Madam, so far as recruitment is concerned, it is all right. But in the case of promotions also, we make reservations for these people. This is totally wrong. I think, promotions should be mainly on merit, whatever one's caste or creed may be.

[Shri S. W. Dhabe]

There is one last point which I would like to mention. On page 32 of the Thirty-third report, it has been mentioned:

". . .the Commission could not find suitable candidates for 394 posts at different levels requiring specialisation in different fields. Of these, 120 posts were reserved for Scheduled Castes, 147 for Scheduled Tribes and 13 for either Scheduled Castes or Scheduled Tribes. The remaining 114 posts were unreserved."

This is a very serious matter. When you are talking so much about, when you are laying so much emphasis on, technical education, engineering and medical education, as well as computer education, it is unfortunate that we have not been able to fill the posts in specialised fields. One can understand in respect of Scheduled Castes and Scheduled Tribes. There may be some problem. But it is strange that even in the general category, we are not able to get suitable candidates and so many posts go abegging. Some special effort should be made in this direction. I would like to know what the Minister, Mr. Singh Deo, is going to do in this matter. I hope he will take some steps to see that the posts which are necessary and which are vacant, are filled in.

Madam, I do not take want to take the time of the House. But I would just refer to one thing. So many cases have been mentioned in the Thirty-third and Third-fourth reports of people who have committed grave offences, who have been ordered to be removed from service, who have indulged in fraud, filed false claims of TA and so on. Even though the Commission recommended stricter punishment, the Government thought otherwise and let them off with a very mild punishment.

This will not improve standard of services. The Minister should review those cases which are reported in these two reports where people have been let off with lighter punishment and where the Commissions advice was not accepted.

4 P.M.

Once again, I would like to say that the employees are facing two problems. The one is for recruitment, and the other is, removal under article 311 of the Constitution. Hon. Minister will take note of feeling of the working class and employees throughout the country. Article 311 requires amendment. The recent judgment has destroyed the security of service which the working class had been enjoying up till now under the Constitution. So, article 311 may be amended so that the sense of security of service is restored among the employees and workmen.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL AND TRAINING, ADMINISTRATIVE REFORMS AND PUBLIC GRIEVANCES AND PENSION AND IN THE DEPARTMENT OF CULTURE (SHRI K. P. SINGH DEO): Madam, may I know how much time I have at my disposal?

THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): As you like, but I hope you will not take much time.

SHRI K. P. SINGH DEO: You want me to reply to most of the points.

THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): Yes.

SHRI K. P. SINGH DEO: Madam Vice-Chairman, I would like to thank the hon. Members from both the sides. Hon. Members have taken keen interest. They have made some very incisive observations, some very constructive suggestions. Some of them have given bouquets while others have given brickbats, but I would like to say that we have taken everything in the right spirit and the highest consideration will be given to the hon. Members' suggestion sand their viewpoints. I would also like to reiterate that in previous reports also the comments and observations of the hon. Members from both the

sides have been given due consideration and most of the improvements in the performance, as is indicated in the reports, is as a result of the combined wisdom of both the Houses as well as of the UPSC.

Before going to the individual points, Madam, I would like to mention that most of the Members spoke on a few common points. Therefore, I shall deal with them in a collective manner. Some of the individual points which do not have relevance to these reports but are general comments; I shall convey them to the other sister Ministries to which they concern.

Shri Sukomal Sen was the first to speak. He mentioned about better coordination between UPSC and various departments of the Government He also asked about the logic of age reduction. He said that he could follow the logic of age reduction. He referred to corruption, nepotism, delay in recruitment rules and performance evaluation on Scheduled Castes and Scheduled Tribes.

Shri Ramachandra Rao commended the UPSC for its higher standard of integrity and honesty and the performance evaluation. He wanted new centres. He wanted special steps for the special training in rural areas, for the people with rural background. He mentioned about *viva voce*. He mentioned about pool officers in science, medical and engineering, like the CSIR. He has made these observations on the basis of his experience in the UGC and we shall try to profit from his experience. Then he referred to the scientific organisations. He referred to a photo-printing type of computer in the UPSC. I shall come to it later on when I answer the individual *points*.

Shri Adi Aruna mentioned about heavy responsibility the UPSC has in relation to appointment, recruitment and training. He spoke of the alarming unemployment situation which has no relevance to this UPSC report. Then he mentioned about the State Governments and the role they have to play. He also spoke about rural areas.

Shri Kaushik said that negligible steps have been taken and that most Indians living abroad should be recruited and sumptuous allowances given.

Shri Bapu Kaldate also referred to the anomaly of the public schools, the affluent society and he wanted economic reservations. He also spoke about Annual Confidential Reports, and the ban on recruitment

Shri Pawan Kumar Bansal, in his very refreshing speech, answered some of the points made by the hon. Members from the other side. Shri Bansal also referred to the bookish knowledge and the personality test. He also referred to selection of candidates and wanted to know the cost which the candidates have to bear. He wanted more money for the UPSC and also spoke about continued relationship between the UPSC and the State Public Service Commissions.

Then our soldier parliamentarian, Captian Jaswant Singh, referred to many points, some of which do not have any relevance to this report. He questioned the interview and selection system, of which he is a product himself because he went through the UPSC and the interview tests to become a Commissioned Officer in the Indian Army. He was referring to the psyche which is elitist. He referred to delinking of jobs with degrees, which is at the moment engaging the attention of the Government. Then he spoke about revamping of the recruitment system. He said that the examiners have a ministerial attitude. He did not elaborate on this. He wanted health of the administration to be improved. As you know the Prime Minister has already directed most of the—in fact all the—Departments of the Government of India to revamp, review the procedures and the administrative reform is going on.

Then Shri Kalpnath Rai referred to the IAS and IPS and wanted UPSC to keep in mind that we are on the

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threshhold of the 21st century. He wanted civil servants to be honest, good and with high integrity. I could not agree with him more. He wanted formation of an all-India Medical, Engineering and Educational Service. As you know the Fourth Pay Commission is already carrying on its work and we shall refer it to the Fourth Pay Commission to have a look at this. Then he also referred to the age, why it has been reduced from 28 to 26 for the Civil Services' Examination. He wanted it to be rural-based, modern and scientific. He wanted representatives of all communities and disciplines and he wanted it to be modern, scientific, secular and democratic manpower who should come into the Government—a very laudable suggestion.

Shri Chaturanan Mishra dealt with the 21st century, socialism and compulsory Hindi should be brought in progressively, peacefully and gradually. It is a very constructive suggestion. He also mentioned about rural candidates. He referred to certain figures in the Short Service Commission, to which I shall come later on. He said 147 out of 228. He wanted Sindhi, Sikkimese, Chinese and Marathi to be the languages in the UPSC.

Then, Shri Rajni Ranjan Sahu wanted to know how good it is and said that it was not foolproof. He questioned the personality test for those with rural background. Then he wanted that special coaching centres should be opened by the UPSC. I shall come to it in my reply.

Shri Satya Prakash Malaviya referred to the Mandal Commission and also mentioned that 85 per cent came from the rural areas. He also wanted to know the background of the UPSC Members. I shall come to it.

Shri Madan Bhatia referred to the ad hoc appointments, personality tests and also the short-service commission. He wanted to know why the Engineering, Geological, Medical Statistical, Economic students should not be given weightage.

Prof. Lakshmanna wanted to know why seven out of more than 20,500 recommendations have not been accepted by Government. They are all in the Report, why Government thought them to be not fit to be accepted. Then, he also wanted that the age recruitment should be increased from 26 to 28.

Shri Bhardwaj referred to personality tests.

Shri Dhabe wanted to know what we are doing for the working class and about 397 posts. In fact, I would like to say that this is not an occasion when class, creed, religion, sect is differentiated.

As you know, Madam, the Union Public Service Commission is expected to select the best available candidate whether through examination or interviews. It also has to ensure equal opportunities of consideration to all eligible applicants, and as such no selection procedure can be based on consideration like region or socio-economic background, and it can be based solely on the merit of the candidates.

It is in this context that. I would like, with your permission, just to quote a few lines from the Estimates Committee Report of the Fourth Lok Sabha. This is the Forty-seventh Report. Then my distinguished predecessor Mr Venkatasubbaiah was the Chairman. I would just take a couple of minutes Madam. This is the historical background of the Union Public Service Commission. This will meet most of the points which have been made commonly collectively by the hon. Members.

I quote:

"It is an universally accepted principle of democratic Government that there should be some

institution or authority, independent of the political executive, to deal with recruitment and management of public services. The basic intentio nsi to ensure equaliy of opportunity and trea-t ment of al clitizens and to guard against the evil effects of nepotism or favouritsm."

One of the best statement of the purpose of his institution, variously called as "Civil Service Commission", "Public Service Commission or Public Services Board" etc. contained in the Report of the Commission on the Superior Civil Services in India, 1924, known as the Lee Commission Report. The Commission observed, and I again quote:

"Where democratic institutions exist, experience has shown, for secure and efficient civil services it is essential to protect it so far as possible from political or personal influences and to give it that position of stability and security which is vital to its successful working as the impartial and efficient instrument by which Government of whatever political complexion may give effect to their policies."

(Interruptions)

"In countries where this principle has been neglected and where the spoils system has taken its, place. inefficiency, c.sorganised civil service has been inevitable result and corruption has been rampant."

Thus, the Institution of the public service commission supports, advances maintaining and practices of democracy in providing a shield against corruptive influences over the public services and upholding the merit system.

Therefore, Madam, the very ethos of having a public service commission is to give a fair chance to everyone and, therefore, the Union public Service Commission cannot and shall not make any differentiation between any region or any socio-economic background. But that does not mean that the Government will not take cognizance of this point which has been made by several hon. Members from both sides of the House. Because the Commission has to ensure that this scheme of examination is not weighed in favour of candidates from a particular region or a particular area or any other consideration. Since there is no universally accepted criteria for dividing candidates between rural and urban areas, therefore, the only way that this type of situation can be righted is for setting up various coaching centres by the various States. The Ministry of Home Affairs which deals with the Scheduled Castes and Scheduled Tribes had already set up more than 65 centres for coaching and training and more than 35 centres for examination throughout the country keeping in view the demographic figures and the popula ion areas where there are predominance of scheduled castes and scheduled tribes so that the people living in the rural areas as well as those belonging to the weaker sections of society can not only get exposure but can easily approach these places for specialised training. I will give you the figures to indicate that these institutions have over the years been successful in imparting training. In 1982-83 he figure was 51 and in 1983-84 it was 47, who have been successful and got selected out of these institutions.

If one analyses from the number of successful candidates over the last two or three years, it reveals the percentage. This analysis is based on five conditions (1) the place of birth; (2) place of their residence upto the age of 15 years; (3) place from

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where they passed their matriculation examination; (4) place of residence of parents or guardians in the last 15 years and the place of birth of the parents. With place of birth as a criteria, 50 per cent successful candidates in the civil services examinations in 1982-83 can be categorised as being from the rural background. With the criteria of residence in a village for the last 15 years of life, the figure works out to 33-1/3 % of the total successful candidate. If the place of residence of parents or guardians for the last 15 years is used as a criteria the figure for 1982 works out to 42 per cent—and the 1963 it was 35 per cent. The figures also indicates approximately one half of the selected candidates belongs to those parents who were neither Government servants nor employees of the public sector undertakings. So the question of IAS, IPS, and IFS all sending their childern *en masse* to join these services as if it was a family affair is not correct.

In my opening remarks while moving the Motion for consideration I have enumerated various steps which the Government have taken to remove the bias of the urabn candidates by providing various facilities to the rural candidates to compete with them under the same conditions.

Many hon. Members have referred to personality test. Well, personality test is a test for testing the intrinsic value of a candidate which has got nothing to do with his being urban or rural or whether he is a public school product or whether he is from a neighbourhood school or whether he is from a Gurukul Ashram or whether he is from Ramakrishna Mission or whether he is from Narindarpur or whether he is from Belud Math or whether he is from Kangra, but this is for getting the intrinsic value of the personality. It has nothing to do whether he is six feet tall or whether he is five feet tall. Whether he is like a Steeve Reeves or whether he is like a Tarzan or anything of the sort and therefore in 1979, 22 per cent of the marks was put for personality test which is now 12 per cent. From that you will kindly note that the views of the hon'ble members have been taken due cognizance of by the UPSC and the Government and therefore not much of weightage is given to the personality test in the aggregate marks nor have any minimum qualifying marks been set for the interview. So, therefore, the question of interview being one of the major criteria also not true. Some of the hon'ble members had also referred to: that the Scheduled Castes and Scheduled Tribes candidates have done well in the Civil Services examinations. I would say in the year 1981, out of 223 posts, number recommended was 223. In 1982, out of 239 posts, number recommended was 239. In 1983, as reflected in 234th report, number of posts which were vacant were 215 and number recommended was 215 from among the Scheduled Castes and Scheduled Tribes candidates. As far as Engineering Service is concerned it is not as bright or successful. Out of 303 posts in 1981 163 were recommended which comes to 54 per cent. In 1982, out of 284 posts, number recommended was 142 which is 50 per cent. In 1983, out of 311 posts the number of candidates recommended was 154 which comes to about 50 per cent. In the medical out of 150 posts, in the year 1981 number of candidates recommended was 147. In 1982, there were 125 posts and the number recommended was 125. In 1983, 215 posts number recommended was 215.

Some of the hon'ble members wanted to know why in the Short Service Commission, for 228 posts, 127 candidates appeared in a country of 70 crores of population. In fact, Hon'

ble Member Shri Bhatia was rather worried that it is very serious. It is not at all serious, Madam, because the rate of rejection in the armed forces is nearly 92 per cent and in the years which have been mentioned, more than 8,000 candidates appeared for the UPSC test. There are stringent rules for picking up people for the armed forces, whether they are technical or non-technical and, therefore, unless you meet the stringent standards, overall standards, you are not selected and therefore, the rejection rate is 92 per cent and the point made by hon'ble Member Shri Pawan Kumar Bansal that we should not have bookish knowledge only proves the point that it is not bookish knowledge alone which gets you a job in the armed forces but you have to have other sterling qualities. Therefore, we are not unduly worried about this. A mass contact programme has also been started by the three services—i.e. in the technical services—Navy, Air Force and Army. They go to the training institutions i.e. Engineering Colleges and Medical Colleges and they also give stipends and things will improve and in fact, things have started showing improvement. I was mentioning to Prof. Ramachandra Rao. He said about some machine-printing type computer which was mal-functioning. That is not true. This machine is known as Optical Mark Reader and has been giving faultless service since it has been installed from 1981.

So that information is not correct. Madam, I have covered most of the points and if there are any minor points which are left out, I shall write to the hon. Members. There was one more point about the delay in the recruitment rules and the placement. This is due to the delay in the verification of the character rolls by the State Governments. We have taken it up with the State Governments to expedite the verification of the character of these people.

As far as ad-hoc appointments are concerned, now as far as Group C and D posts are concerned, it is different. As far as Group A and B posts are concerned, ad hoc appointments can only be made with the approval of the Minister, and if it is above Rs. 2,200, it has to go to the Appointments Committee of the Cabinet.

Before I conclude, Madam, I would like to quote from the conclusion of the Estimates Committee Report, which will meet all the points which have been raised by the hon. Members. Then I will also give the background of the Members of the Union Public Service Commission, which has been asked for by Shri Malaviya.

"The growth of the Public Service Commission in India as an independent body to advise the executive in service matters like recruitment, discipline and promotions is of comparatively recent origin. In fact, the idea of an independent Public Service Commission in this country has grown along with the evolution of Indian constitutional reforms. The first Public Service Commisoin was set up in 1926. It was established in accordance "with the provisions of the Government of India Act, 1919 and the Federal Public Service Commission set up in 1937 was a by product of the Government of India Act, 1935. With the coming into force of the Constitution in 1950, the Union Public Service Commission displaced the Federal Public Service Commission.

The institution of the Public Service Commission is looked upon as a bulwark of democracy. It is a symbol of merit system in public service and its avowed objective is to eliminate nepotism and political abuse from public administration.

While public service commissions are a common feature in most of the democratic countries today, it is to be particularly noted that the Public Service Commission in India has been created by the Constitution itself and not, as in most other countries, by a mere Act of

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the legislature. Hence to assist the Government to maintain and manage an efficient public service, the founding fathers have endowed the Commission with independence, status and dignity."

Coming to the Chairman and the eight members, the Chairman, as you know, is Shri H. K. L. Kapoor, who is a retired Chief Secretary; he is an administrator. Then we have from the non-officials, a Member who has been Chairman of a Public Service Commission. Then we have an Air Vice-Marshal, which is equivalent to a Major-General's rank in the Army, Who was in-charge of the Administration in the Air Force. Then we have an official who is from the South; he was Press Secretary to the President of India. Then we have another non-official. Would you like me to mention the names? I think everyone knows the names. I am just giving the background. He is also from the South, from Andhra Pradesh; he has been a professional in Osmania University. Then we have an official who was a Secretary in the Government of India. Then we have another non-official who has been an educationist and has been in the legal profession. He is from Central India. Then we have another official who is a former Chairman of the Railway Board. He is also from Central India. Then we have a non-official who has been a professor in the IIT. So from this you can gauge the background of the Members and see whether they are distinguished or not.

Madam, I have touched all the major points made by the hon. Members and I am extremely grateful for their suggestions.

THE APPROPRIATION (No. 5) BILL, 1985.

THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): Now we shall take up the Appropriation (No. 5) Bill, 1985. Shri Poojari.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): Madam Vice-Chairman, I beg to move:

That the Appropriation (No. 5) Bill to authorise payment and appropriation of certain further sums from and out of the Conslidated Fund of India for the services of the financial year 1985-86, as passed by the Lok Sabha, be taken into consideration.

Madam, the Bill arises out of the supplementary appropriations charged on the Consolidated Fund of India and demands voted by Lok Sabha on the 7th August, 1985. These involve gross additional expenditure of Rs. 3872.54 crores. The additional requirement: of Rs. 3372.54 crores comprises Rs. 2252.75 crores for transfer to State Governments, Rs. 1,316.60 crores for releases to public sector enterprises, Rs. 95.30 crores for Union Territory Governments and administrations, and Rs. 207.89 crores for other expenditure. The details of supplementary demands are available in the document laid on the Table of the House on 30th July, 1985.

The question was proposed.

SHRI MOSTAFA BIN QUASEM (West Bengal): Honourable Vice-Chairman, the present piece of legislation, *viz.* The Appropriation (No. 5) Bill, 1985, corresponds to the first batch of supplementary demands for grants submitted before Parliament by the honourable Finance Minister some days back. The Minister has rightly pointed out that this is the first batch of supplementary demands for grants, and considering the practice of the present Government we have no doubt that several other such supplementary demands for grants will follow during the present or current financial year. The figures given by the honourable Minister for the supplementary demands for grants spreading over 26 items, include a gross additional expenditure of Rs. 3,872.54 crores and taking into account the related receipts and recoveries, the net additional expenditure will be Rs. 2,876.25 crores.